Page 309 LANCASTER, NEW YORK JUNE 5, 1978

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 5th day of June, 1978 at 8:00 P.M. and there were

PRESENT:

STANLEY JAY KEYSA, SUPERVISOR

JOSEPH R. BARNHARDT, COUNCILMAN

EDWARD A. BERENT, COUNCILMAN

PETER J. BOLENDER, COUNCILMAN

ARTEL J. METZ, COUNCILMAN

ABSENT:

NONE

ALSO PRESENT:

ROBERT P. THILL, TOWN CLERK

DOMINIC J. TERRANOVA, TOWN ATTORNEY

RICHARD J. SHERWOOD, DEPUTY TOWN ATTORNEY

EDWARD J. FERON, JR., TOWN ENGINEER

VICTOR H. OTT, POLICE CHIEF

ROBERT L. LANEY, DEPUTY BUILDING INSPECTOR

**BID OPENINGS:** 

None

PUBLIC HEARINGS:

None

#### OFFICIAL REPORTS

of Lancaster have filed with him their monthly reports as follows:

DEPARTMENT	NTH OR MONTHS OF
Town Clerk	May, 1978
Building Inspector	May, 1978
Dog Warden	May, 1978

The Town Clerk reported that the following Boards, Commissions, Bureaus, and Committees of the Town of Lancaster have filed with him minutes or memorandums of their meetings as follows:

Planning Board

April 19, 1978

May 3, 1978

Recreation Commission

May 11, 1978

### COMMITTEE REPORTS:

Councilman Berent, for the Parks and Recreation Committee, reported that Walden Pond Park had its official opening this evening with the use of the newly constructed ball diamonds by the Softball Recreation League sponsored by the Town of Lancaster.

Councilman Barnhardt, for the Sewer Committee, reported that a letter will be sent to the property owners on Walden Avenue, east of the terminus of the present Sewer District No. 4 line, requesting a meeting with them with a view toward construction of an extension of this Walden Avenue sewer.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN BARNHARDT, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN BERENT, TO WIT:

RESOLVED, that the Minutes of the meeting of the Town Board, held May 15, as presented by the Town Clerk, be and hereby are approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

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The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN BERENT , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN BARNHARDT , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest to create an additional position of Lieutenant in the Police Department of the Town of Lancaster to insure that a responsible officer is on duty on a 24-hour basis,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby 'creates an additional position of Lieutenant in the Police Department of the Town of Lancaster, and

BE IT FURTHER:

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to complete and execute Section 8 of Form PO-17 (New Position Duties Statement) from the Erie County Department of Personnel, indicating that an additional position of Lieutenant in the Police Department has been created.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES.

COUNCILMAN METZ VOTED YES

ત્રિષ્ટોપૂ The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN BOLENDER , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN METZ TO WIT:

MHEREAS, Seibel Modern Mfg. & Welding Corp., by letter dated May 3, 1978, has submitted a proposal for fabricating and installing three (3) metal frames with wire mesh at the Lancaster Town Center's Men's Lockup for a total cost of \$400.00, and

WHEREAS, the Police and Safety Committee of the Town Board of the Town of Lancaster recommends the insallation of this wire cloth mesh paneling in the three (3) men's cells,

NOW, THEREFORE, BE IT

RESOLVED, that the proposal of Seibel Modern Mfg. & Welding Corp., dated May 3, 1978, for fabricating and installing three (3) metal wire cloth mesh panels in the three (3) men's cells at the Lancaster Town Center for the total cost of \$400.00 be accepted, and

BE IT FURTHER

RESOLVED, that the Town Engineer be and is hereby directed to notify Seibel Modern Mfg. & Welding Corp. of the acceptance of their proposal of May 3, 1978 and to supervise and certify as to the work performed thereunder.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

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The resolution was thereupon unanimously adopted.

FOLLOWING RESOLUTION WAS OFFERED , WHO MOVED BY COUNCILMAN METZ ITS ADOPTION, SECONDED BY COUNCILMAN TO WIT: BOLENDER

WHEREAS, the New York State Legislature has enacted the dates and hours for the 1978 Political Calendar for Primary, Registration, and General Election Days,

NOW, THEREFORE, BE IT

RESOLVED, that during the year 1978, the Election Inspectors of the Town of Lancaster be paid as follows:

Primary Day (Polls open 9 hours)	\$24.00
Registration Days:	
1st Day (Polls open 7 hours) 2nd Day (Polls open 8 hours)	\$19.00 \$22.00
Election Day	
(Polls open 15 hours)	\$40.00
For attending Election Inspectors' School - \$6.00 for each school	\$ 6.00

and

# BE IT FURTHER

RESOLVED, that the Chairman of the Inspectors at each Polling Place be paid an additional fifteen (\$15.00) dollars for each day of Election and for the two day Registration Session.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN	BARNHARDT	VOTED	YES	
COUNCILMAN	BERENT	VOTED	YES	
COUNCILMAN	BCLENDER	VOTED	YES	
SUPERVISOR	KEYSA	VOTED	YES	
COUNCILMAN	METZ	VOTED	YES	

ત્રાપ્રમાત્ર The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN BARNHARDT, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN BERENT, TO WIT:

WHEREAS, J. NICHOLAS MUELLER, 9 Kaufman Road, Cheektowaga, New York, has petitioned the Town Board of the Town of Lancaster for the rezone of certain property situate on the south side of Genesee Street, at 5645 Genesee Street, from an RC Residence-Restricted Business District to a C2 General Commercial District, and

WHEREAS, this petition has been referred to the Planning Board of the Town of Lancaster for its recommendation and report,

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Sections 130 and 265 of the Town Law of the STate of New York, a public hearing on the proposed rezone will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 19th day of June, 1978, at 8:15 o'clock P.M., Local Time, and that notice of the time and place of such hearing be published in the Lancaster Enterprise-Journal, a newspaper of general circulation in said Town, and be posted on the Town Bulletin Board and that a copy of such Notice of Hearing be referred to the Erie County Department of Planning, pursuant to Section 239(m) of the General Municipal Law, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

ઝલાઝ The resolution was thereupon unanimously adopted

#### LEGAL NOTICE

# PUBLIC HEARING TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 5th day of June, 1978, the said Town Board will hold a public hearing on the 19th day of June, 1978, at 8:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the following proposed amendment to the Zoning Ordinance and Zoning Map of the Town of Lancaster, rezoning the following described real property, from an RC-Residence-Restricted Business District to a C2-General Commercial District:

ALL THAT TRACT OR PARCEL OF LAND, situated in the Town of Lancaster, County of Erie and State of New York, being part of Lots Number Seven (7) and nine (9), Section nine (9), Township eleven (11), and Range six (6) of the Holland Land Company's survey, and according to a Subdivision Map known as Genesee Villa filed in Erie County Clerk's Office under Cover No. 1123, are known as Subdivision Lots numbered Fifteen (15), Sixteen (16), Seventeen (17), Eighteen (18), Thirty-three (33), Thirty-four (34), Thirty-five (35) and Thirty-six (36) in Block "B"

general apoint thirty-three (33) feet south of the center of Genesee Street and six thousand one hundred eighty-seven and five tenths (6187.5) feet easterly of Harris Hill Road; thence south on a line at Right angles with Genesee Street two hundred (200.0) feet; thence easterly on a line parallel with First Street one hundred eleven and five tenths (111.5) feet; thence northerly on a line parallel with the east line of lands known as the Benjamin F. Smiley Subdivision, two hundred (200.0) feet northerly to a point thirty-three (33) feet south of the center line of Genesee Street; thence westerly parallel with Genesee Street one hundred six and five tenths (106.5) feet to the point of beginning.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE TOWN OF LANCASTER

BY: ROBERT P. THILL Town Clerk THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN BERENT, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN BARNHARDT, TO WIT:

WHEREAS, the Police Committee of the Town Board and Police Commissioners have recommended the appointment of a permanent Lieutenant in the Police Department to insure that a responsible officer is on duty on a 24-hour basis and to cover the vacancy created during the Leave-of-Absence of Lieutenant Fowler, and

WHEREAS, by certified list dated April 26, 1978, the Personnel Officer of the County of Erie has informed the Supervisor of the Town of Lancaster of the respective standings of eligible candidates for the position of Police Lieutenant, permanent appointment, and

WHEREAS, said Civil Service List has been canvassed by the Supervisor, and

WHEREAS, said eligible candidates indicating a desire for said appointmenthave been interviewed by the Police Commissioners and the Police Chief of the Town of Lancaster and the recommendation of the Police Commissioners has been made in connection therewith,

NOW, THEREFORE, BE IT

RESOLVED, that JAMES L. NATALIZIA be and hereby is appointed to said permanent position of Police Lieutenant of the Town of Lancaster, effective June 6, 1978, and that the salary for said position be in accordance with the provisions of Section 24 of the Agreement between the Town of Lancaster and the Town of Lancaster Police Benevolent Association, also known as the Cayuga Club, and the salary for said position as set forth in the Schedule of Salaries for the year 1978, and

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster file the necessary personnel forms to accomplish the foregoing with the Personnel Officer of the County of Erie.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

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The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN BOLENDER, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN METZ. TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has heretofore authorized the negotiations with the County of Erie for the leasing of a portion of the Highway Garage property on Walden Avenue, locally known as 3789 Walden Avenue, Lancaster, New York, to Erie County Sewer District No. 4, and

WHEREAS, said negotiations have resulted in a certain lease of a portion of said property to Erie County Sewer District No. 4 for a three-year period, commencing July 1st, 1978, at an annual rental of \$17,073.00, and terminating July 1st, 1981, all as set forth in said lease as approved by the Town Attorney and filed in the office of the Town Clerk,

"NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized pursuant to Section 72(h) of the General Municipal Law, to execute a lease of a portion of Town property heretofore operated at the Town Highway Garage and locally known as 3789 Walden Avenue, Lancaster, New York, which lease has been filed in the office of the Town Clerk, and

BE IT FURTHER

RESOLVED, that the Supervisor make claim for rent payments and other consideration due under the terms of said lease and that the Highway Superintendent make such adjustments for fuel in tanks in accordance with the terms of said lease, and that the Supervisor make a proper claim to the County of Erie for such fuel adjustment.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES COUNCILMAN BERENT VOTED YES COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES COUNCILMAN METZ VOTED YES

The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN METZ, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN BOLENDER, TO WIT:

WHEREAS, the Bowmansville Volunteer Fire Association, Inc., by
letter dated May 14, 1978, has requested confirmation of one (1) non-resident
member, and

WHEREAS, the Bowmansville Volunteer Fire Association, Inc., at a regular meeting held on May 5, 1978, by a vote of 3/4 of all the members present, authorized the non-resident membership of Arthur F. Felski,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms the following individual in the Bowmansville Volunteer Fire Association, Inc.:

#### CONFIRMATION

Mr. Arthur F. Felski 324 Central Avenue Lancaster, New York 14086

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

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The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN BARNHARDT, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN BERENT TO WIT:

WHEREAS, Doralco Inc., 3440 Home Road, Alden, New York, has applied to the Town Board of the Town of Lancaster for a permit to construct a Public Improvement upon real property in the Town of Lancaster within a proposed development known as Lancaster Industrial Park, and

WHEREAS, Lancaster Industrial Park is an Industrial Subdivision within the Town of Lancaster approved by the Planning Board on July 6, 1977, by the Town Engineers on July 15, 1977, and reconfirmed by the Planning Board on July 20, 1977, and

whereas, the Town Engineer of the Town of Lancaster has certified on the following permit application that he has reviewed the Improvement Plan as prepared by Bissell, Merrill and Associates, Engineers, Surveyors, and Planners, of Williamsville, New York, revised to May 1, 1978, and Permit Application for the installation of the Public Improvement requested, and that they conform to the Ordinances of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that Public Improvement Permit Application No. 53 of Doralco Inc., 3440 Home Road, Alden, New York, for the installation of:

P.I.P. No. 53 - Install 1400 lineal feet of 8" cement lined cast iron water line, two hydrant tees, two swivel elbows, two valve boxes, one hydrant and 12" tapping sleeve and valve at Doralco Industrial Park on Walden Avenue near Ransom Road.

be and is hereby approved and the installation of the improvement requested be and is hereby authorized, subject to the inclusion in this permit of the following wording prescribed by the Town Attorney:

#### PERMIT CONDITIONED AS FOLLOWS

No Building Permits shall be issued until approval of individual water retention and drainage system by the Town Engineer and of all Public Improvements by the Town Engineer and Town Board, and conveyance of Warranty Deed with adequate title insurance and bill of sale of improvements, rights-of-way, and easement, and delivery of two (2) year maintenance bond from date of acceptance in an amount recommended by Town Engineer and approved by Town Attorney.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

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The resolution was thereupon unanimously adopted,

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN BERENT, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN BARNHARDT, TO WIT:

RESOLVED, that the following individuals be and hereby are appointed membets of the Town of Lancaster Youth Bureau for the period June 1, 1978 to May 31, 1980:

Anthony D'Amore
Neal Bradigan
Betty Dwyer
Robert Giza
David Markus
Claire Schlum
Rev. John Whiteford
Rev. James D. Steele

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

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The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN BARNHARDT, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN BERENT, TO WIT:

WHEREAS, Article 2, Section 23, Paragraph 4-a of the New York State Civil Service Law provides as follows:

"...An appointing authority of a department or agency of a city or civil division may require that eligibles who are residents of such city or civil divisions shall be certified first for appointment, provided, however, no such preference shall be given on appointments from promotion lists. Upon exhaustion of the list of such resident eligibles, certification shall be made from the whole eligible list...",

and

WHEREAS, the Commissioner of Personnel, County of Erie, states that they will certify countywide civil service eligibility lists, revising their policy based on Section 23, Paragraph 4-a of the Civil Service Law, unless they receive a Board approved resolution stating that preference is to be given to the Municipality's residents, and

WHEREAS, the Town Board deems it to be in the best interest of the Town to recommend preference be given to the Municipality's residents;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster does hereby resolve that preference is to be given to Town of Lancaster residents on all civil service certifications, except as to those positions in town service for which town residency shall have been specifically waived by the Town Board, and

BE IT FURTHER

RESOLVED, that a certified copy of this resolution be forwarded immediately to the Commissioner of Personnel, County of Erie.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

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The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN BERENT, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN BARNHARDT, TO WIT:

WHEREAS, the Town Board has, from time to time received requests to impose traffic regulations pursuant to Section 1660-a of the Vehicle and Traffic Law relating to traffic regulations at parking areas and driveways of certain shopping centers; private apartment complexes, fire stations and other private areas, and

WHEREAS, it is in the public interest to control traffic by regulation in such areas in order to maintain public safety and order, and

WHEREAS, the Police Committee of the Town Board and the Chief of Police have recommended amendment of the Vehicle and Traffic Ordinance of the Town of Lancaster, providing for traffic regulations at parking areas and driveways of certain private areas, including, but not limited to shopping centers, private apartment complexes and fire stations,

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 130 of the Town Law of the State of New York, a public hearing on the amendment to the Vehicle & Traffic Ordinance of the Town of Lancaster, County of Erie, State of New York, designated Chapter 46 of the Code of the Town of Lancaster, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 19th day of June, 1978, at 8:00 o'clock P.M., Local Time, and that notice of the time and place of such hearing be published in the Lancaster Enterprise-Journal, the official newspaper of the Town, and be posted on the Town Bulletin Board, which notice shall be in the following form:

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES COUNCILMAN BERENT VOTED YES COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES COUNCILMAN METZ VOTED YES

The resolution was thereupon unanimously adopted.

June 5, 1978

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LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 15th day of May, 1978, the said Town Board will hold a Public Hearing on the 19th day of June 1978, at 8:00 o'clock P.M., Local Time, to hear all persons upon the following amendment to the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated Chapter 46 of the Code of the Town of Lancaster, by adding thereto the following:

ARTICLE XX - Traffic regulations at parking areas and driveways of hospitals, shopping centers, private apartment complexes and fire stations; private condominium complex

\$46-29

- A. The following traffic regulations are hereby enacted to control traffic upon the premises of Town Line Volunteer Fire Department, on the south side of Broadway, west of Town Line Road in the Town of Lancaster:
  - 1. The stopping, standing or parking of vehicles by unauthorized persons upon the property of the Town Line Volunteer Fire Department, is hereby prohibited.
  - 2. The Police Department of the Town of Lancaster is hereby authorized to impound, remove, and store vehicles violating this Article in the same manner as set forth in Article XII of the Vehicle and Traffic Ordinance of the Town of Lancaster, designated "Chapter 46 of the Code of the Town of Lancaster."
  - 3. Cost of sign or signs and erection thereof, notifying the general public of the prohibition against stopping, standing or parking of vehicles on the private property of Town Line Volunteer Fire Department, shall be borne by the fire department.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE TOWN OF LANCASTER

BY: ROBERT P. THILL Town Clerk

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN METZ, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN BARNHARDT, TO WIT:

WHEREAS, the Town Board deems it in the best interest of the Town of Lancaster that Town of Lancaster employees be residents of said Town,

NOW, THEREFORE, BE IT RESOLVED, as follows:

- 1. On and after the effective date of this Resolution, it shall be the duty of each employee of the Town of Lancaster during the period of his or her employment of said Town, to maintain his or her residence or dwelling within the corporate limits of said Town. The provisions of this section shall not apply to any employee during a leave of absence duly granted, nor to an employee principally engaged in Town activities outside the corporate limits of said Town, except as to those positions in town service for which Town residency shall have been specifically waived by the Town Board.
- 2. Any employee who, on the effective date of this resolution does not maintain his or her residence or dwelling within the corporate limits of said Town, shall within the period of sixty days, from said effective date, maintain a residence or dwelling within the corporate limits of said Town.
- 3. Failure of any employee to comply with any of the provisions of this resolution shall be cause for removal in the manner provided by law.
- 4. Provisions of this resolution shall not apply to elected officials or other employees whose residence requirements are established by law.
  - 5. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN BERENT, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN BARNHRADT, TO WIT:

WHEREAS, by letter dated May 12, 1978, the Town Historian of the Town of Lancaster has requested permission to attend the Annual Seminar on American Culture, sponsored by the New York State Historical Association at Cooperstown, New York from July 3rd through July 16, 1978,

NOW, THEREFORE, BE IT

RESOLVED, that EDWARD J. MIKULA, Town Historian of the Town of Lancaster, be and hereby is authorized to attend the Annual Seminar on American Culture at Cooperstown, New York with reimbursement for actual and necessary expenses, including tuition and mileage, not to exceed \$250.00:

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

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The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN BOLENDER, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN METZ, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered paid from their respective accounts:

ACCOUNT		ORDER NUMBER	TOTAL AMOUNT
General Funds	No.	6578 to 6632 Incl.	\$238,761.30
Special District Funds	No.	308 to 310 Incl.	\$ 13,467.29
Part Town Funds	No.	551 to 560 Incl.	\$ 17,200.45
Highway Funds	No.	1906 to 1931 Incl.	\$101,713.56
Trust & Agency Funds	No.	257 to 258 Incl.	\$ 1,217.13
Federal Revenue Sharing	No.	1076 to 1102 Incl.	\$ 95,283.35
Capital Fund	No.	330 to 331 Incl.	\$ 1,525.84
Debt Service Fund	No.	4 to 5 Incl.	\$ 12,805.00
CETA Project No. 641	No.	12 to 14 Incl.	\$ 476.30
CETA Project No. 645	No.	14 to 19 Incl.	\$ 1,845.48
Community Development	No.	2 to 2 Incl.	\$120,000.00

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

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The resolution was thereupon unanimously adopted.

June 5, 1978,

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN METZ, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN BOLENDER, TO WIT:

RESOLVED, that the following Building Permit Applications be and are hereby approved and the issuance of Building Permits be and are hereby authorized:

NO.	NAME	ADDRESS	STRUCTURE
60	Marrano Enter.	6 Robinwood Court	ER. FR. BRK. VEN. SIN. DWLG, PVT. GARAGE
61	Marrano Enter.	14 Robinwood Court	ER. FR. BRK. VEN. SIN. DWLG, PVT. GARAGE
62	Marrano Enter.	4 Robinwood Court	ER. FR. BRK. VEN. SIN. DWLG, PVT. GARAGE
63	Josela Enter.	4845 Transit Rd.	ER. BRK. VEN. CONCRETE APARTMENT
64	Josela Enter.	4845 Transit Rd.	ER. BRK. VEN. CONCRETE APARTMENT
65	Josela Enter.	4845 Transit Rd.	ER. BRK. VEN. CONCRETE APARTMENT
66	Donald C. Samulski	800 Hall Rd.	ER. FR. SIN. DWLG
67	John Berryman Bldrs.	459 Harris Hill Rd.	EXT: FR. SIN. DWLG
68	Jerry Landahl	404 Central Ave.	ER. FENCE
69	Robert Rausche	702 Schwartz Rd.	ER. FR. PVT. GARAGE
70	Charles Tiffany	38 Botimer	EXT. FR. SIN. DWLG
71	Marrano Enter.	8 Robinwood Court	ER. FR. BRK. VEN. SIN. DWLG, PVT. GARAGE
72	Marrano Enter.	227 Warner Rd.	ER. FR. BRK. VEN. SIN. DWLG, PVT. GARAGE
73	Marrano Enter.	17 Pheasant Run La.	ER. FR. BRK. VEN. SIN. DWLG, PVT. GARAGE
74	James Tysiac	6 Idlebrook	ER. ABOVE GROUND POOL
75	Walter Koneski	361 Broezel	ER. FR. ALUM. STORE BLDG.
76	Charles Bernardi	6517 Broadway	REBUILD SIN. DWLG
77	Marrano Enter.	4 Pheasant Run La.	ER. FR. BRK. VEN. FRONT SIN. DWLG, PVT. GARAGE
78	Gelbert Devel. Co.	4401 Walden Ave.	ER. CONCRETE BLK FENCE
79	Raymond Menzies	525 Harris Hill Rd.	ER. FR. PVT. GARAGE

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

xЯ¼½%x The resolution was thereupon unanimously adopted.

Councilman Berent requested a suspension of the necessary rule for immediate consideration of the following resolution -

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN BERENT; WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN BARNHARDT. TO WIT:

WHEREAS, the Recreation Director, Recreation Commission, Recreation Committee of the Town of Lancaster, and the Town Engineers have called to the attention of the Town Board a serious emergency situation at the swimming pool and swimming pool building necessitating immediate expenditure of funds, which cannot reasonably await competitive bidding, in order to protect life, health, safety and the property of the inhabitants of the Town of Lancaster, and

MHEREAS, Krehbiel Associates, Inc., Town Engineers, by letter dated May 10, 1978, has informed the Town Board of the need for said work, designated "D" and "E", as set forth in said letter, and further recommended by oral report on June 5, 1978, the replacement of eight (8) front bathhouse windows with Lexan, all as identified in a proposal of Edway Construction Co., Inc., dated June 2, 1978,

NOW, THEREFORE, BE IT

RESOLVED, that items "D" and "E" of the Engineer's Report, dated May 10, 1978, as represented by a proposal of Edway Construction Co., Inc., dated June 2, 1978, in the amount of \$1,400.00, be and hereby are authorized and the Town Clerk is authorized to execute said proposal on behalf of the Town of Lancaster, with funds to be drawn from the account "Unappropriated Surplus", said work to be performed under the direct supervision of the Recreation Director, with support supervision from the Recreation Committee of the Town Board, the Recreation Commission and the Town Engineers.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES
COUNCILMAN BERENT VOTED YES
COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES COUNCILMAN METZ VOTED YES

The resolution was thereupon unanimously adopted.

Councilman Berent requested a suspension of the necessary rule for immediate consideration of the following resolution - SUSPENSION GRANTED.

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THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN BERENT, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN BARNHARDT, TO WIT:

York provides for consolidation of Election Districts for the purpose of registration of voters, and

WHEREAS, pursuant to agreement with the County Board of Elections of the County of Rockland, the Town of Ramapo reduced its registration places from 78 to eight; the Town of Clarkstown from 72 to nine; the Town of Orangetown from 56 to seven; and the Town of Haverstraw from 21 to four and the Town of Stony Point from 10 to two at a substantial cost savings to the taxpayers of the aforesaid towns,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk of the Town of Lancaster be and is hereby directed to immediately contact the Erie County Board of Elections with a view toward negotiating an agreement between the Erie County Board of Elections and the Town of Lancaster for the consolidation of polling places within the Town of Lancaster for the October, 1978 Registration of voters within said Town.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES
COUNCILMAN BERENT VOTED YES
COUNCILMAN BOLENDER VOTED YES
SUPERVISOR KEYSA VOTED YES
COUNCILMAN METZ VOTED YES

xxxxob

The resolution was thereupon unanimously adopted.

- 1. Preferential Rights, Erie Lackawanna R.R.

  By letter dated April 13, 1978, the Sueprvisor provided the Town Board with a summary of concerns regarding the D.L. & W. right-of-way with a copy of the letter directed to Mayor Lyon, Supervisor Donnelly, Mr. Evans, Sales Manager for D.L. & W., the N.Y.S. Dept. of Transportation, and the Erie County Planning Dept.
- 2. Public Dedication of Townedge Water Lines
  On March 13, 1978, the Erie County Water Authority gave approval for a meter pit for the interconnection between Countryside and Townedge.
- 3. Public Improvement Permit Authorization, Lancaster Industrial Park
  On September 6, 1977, the Town Board approved Public Improvement Permit
  Nos. 41 and 42 for storm sewer, pavement and curbs. On June 5, 1978,
  the Town Board approved Public Improvement Permit No. 53 for water line.
- 4. Phase II, Pleasant Meadow Subdivision, Public Improvement Permit Authorization
  On September 6, 1977, the Town Board approved Public Improvement Permit Nos. 43 and 44 for Phase II; water, storm drain, pavement and curbing. On February 28, 1978, the Town Board approved a letter of credit as security for the installation of these improvements.
- 5. Phase III, Pleasant Meadow Subdivision, Public Improvement Permit Authorization
  On March 20, 1978, the Town Board approved Public Improvement Permit No. 50 for Phase II water lines. On May 1, 1978, the Town Board approved Public Improvement Permit No. 51 for Phase III storm drain and Public Improvement Permit No. 52 for Phase III pavement and curbs.
- 6. Rezone Petition, Guenter H. and Eva-G. Burkhardt
  On April 3, 1978, the Town Board held an adjourned public hearing on
  this proposed rezone and again, at the request of the attorney for the
  petitioner, adjourned this hearing to August 7, 1978 at 8:00 P.M.
- 7. Subdivision Filing, Josela Enterprises, Countryside Subdivision On March 20, 1978, the Town Board approved this subdivision and authorized the Town Attorney, with a representative of the developer, to file this subdivision map.
- 8. Subdivision Filing, Woodview Estates Subdivision
  On February 27, 1978, the Town Board approved this subdivision and authorized filing of the subdivision map under conditions by the Town Attorney.
- 9. Ceiling Screening, Lancaster Center Lockup
  At the Town Board meeting of June 5, 1978, the Chief of Police reported that this work had been completed. The Town Clerk was directed to remove this item from future Town Board agendas.
- 10. Alarm Security, Town Buildings
  At the Town Board meeting of May 1, 1978, the Town Board accepted the revised proposals of American Alarm Services which were contained in their letter to the Town Board dated March 15, 1978.
- 11. Extension Walden Avenue Sewer Facilities, East of the Terminus of Sewer District No. 4 Line
  At the Town Board meeting of April 3, 1978, Councilman Barnhardt presented to the Town Board a preliminary cost projection for this project.

- 12. Parking Regulations on Private Property and Within Private Subdivisions
  On June 5, 1978, the Town Board set a Public Hearing on this matter for
  June 19, 1978 at 8:00 P.M.
- 13. Rezone Petition, J. Nicholas Mueller
  On June 5, 1978, the Town Board set a Public Hearing on this matter for June 19, 1978 at 8:15 P.M.
- 14. Subdivision Approval, Country View East
  On May 1, 1978, this matter was presented to the Town Board and referred to the Planning Board for review and recommendation.
- On May 1, 1978, the Town Board adopted a resolution requesting a speed evaluation survey from the N.Y.S. Dept. of Transportation.

The Town Clerk was directed to add the following item to future
Town Board agendas:

"Rezone Petition, Dennis Casillo"

#### PERSONS DESIRING TO ADDRESS TOWN BOARD:

Diane Galuski, 2105 Maple Road, Williamsville, New York, representing Morality in Media in Western New York, Inc., Mrs. Donna M. Reese, 2651 Wehrle Drive and Mrs. Mrs. Gladys Reese, 5661 Wehrle Drive, spoke to the Town Board about the objectionable movies that are being shown at the Wehrle Drive-In Theatre and also problems to the neighbors relating directly to the operation of the theatre.

The Town Attorney was requested to study the material presented by Mrs. Galuski, to investigate legal perimeters of the Town Board in this matter, and to report back at the next Town Board meeting just what authority the Town has relative to the regulation of this type of enterprise.

Mr. Brian Fahey, 164 Peppermint Road, spoke to the Town Board in reference to the Housing Survey which is currently being conducted by the Town of Lancaster in accordance with Federal standards for the purpose of securing additional Federal Housing Aid.

Mr. Fahey informed the Town Board that he objected to certain personal questions on the interview application that related to ethnic background and income.

The Supervisor informed Mr. Fahey that the form of the survey is mandated by the Federal Government, however, the answers to the questions relative to ethnic background and income are optional and need not be answered by a householder if he does not so desire.

Mrs. Judy Flury, 280 Westwood Road, representing the Lancaster Community Theatre, asked the Town Board if they had made any decision on the possibility of renting anunused building at the Lancaster Town Center to the Community Theatre.

#### PERSONS DESIRING TO ADDRESS TOWN BOARD CONTID.:

The Supervisor informed Mrs. Flury that the Board had not come to a decision but it is anticipated that a decision will be made by the next Town Board meeting.

Mr. and Mrs. James Laughlin, 166 Peppermint Road, complained to the Town Board that overweight trucks are using Peppermint Road at excessive speeds.

The Chief of Police was directed to set up radar on Peppermint Road at various times and also, have the trucks which appear to be overweight to be weighed at a nearby weigh station.

Mrs. Gladys Reese, 5661 Wehrle Drive, also complained of speeding trucks on Wehrle Drive.

The Chief of Police was directed to set up radar on Wehrle Drive at various locations.

Mr. Paul Stephan, 6351 Broadway, asked the Town Board to look into the site clearance for cars entering Broadway from Pavement Road. Mr. Stephan felt that the site clearance to the east was obscured by a sign and thought that the sign should be moved further east.

The Chief of Police was requested to investigate the site clearance at this location and report back to the Town Board.

# COMMUNICATIONS:

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DISPOSITION

389.	Town Engineers to Town Board - Recommendation that proposal be sent to County Water Authority indicating Town's plan for Solving its water reserve problems.	Supervisor
390.	Supervisor to Town Bord - Request extended authorization for reimbursement of expenses involved with attendance at various meetings.	Town Attorney
391.	Town Attorney to Town Board - Transmittal of budget cost estimates and engineer's report for proposed water extensions on Storer Aye. and Transit Blvd. and request for comments regarding same.	Water Committee
392.	Sec'y, Bowmansville Vol. Fire Assn. to Town Board - Request confirmation of one (1) non-resident member to the active roster.	<u>R</u> & F
393.	Dog Warden to Town Board - Formal report regarding incident surrounding dog complaint.	RεF
394.	Town Engineers to Marrano Enter Notification that no turnaround is necessary at the present time on Pheasant Run but by winter of 78/79, if there is no extension, the builder must provide said turnaround.	RεF
395.	Town Clerk to Town Board - Resume of actions taken in response to directions and resolutions of the Town Board meeting of 5/15/78.	RεF
396.	Town Clerk to Sec'y, Planning Board - Transmittal of rezone petition of Dennis Casillo.	RεF
397.	Supervisor to Town Board - Notification of various investments during the month of May, 1978.	R & F
398.	Belmont Shelter Corp. to County PHA Consortium - Transmittal of newspaper ad, brochure, and comments regarding Section 8, Rental Assistance Program.	R & F
399.	Town Attorney to Town Board - Recommendation that authorization be given the Recreation Commission to assign responsi- bility to the Recreation Dir. and Town Engineer regarding emergency repairs at Town Pool.	R&F
400.	Supervisor to Town Board - Notification of possiblility of legal action against County regarding charges for sewer tap fees.	Town Attorney
401.	Supervisor to Mobil Oil Corp. Request easement to permit plowing and minor repairs.	REF
402.	Town Engineers to Planning Board - Comments regarding preliminary plans and topographical map of Country View East	REF

## Page 340 COMMUNICATIONS CONT'D.: DISPOSITION 403. Supervisor to Asst. Treas., Bank of New York -Declination of services offered. 404. Supervisor to County Dept. of Employment and RεF Training -Notations regarding Project Nos. 641, 642. 645, and 1081. 405. Town Attorney to Supervisor -Supervisor Request opinion regarding development of industrial park in the Village of Lancaster. 406. Town Clerk to Town Board RεF Request authorization to negotiate consolidation of election districts for registration with transmittal of proposed resolution. 407. Police Chief to Town Board -REF Notification of completion of alteration work to women's lockup and of wire screening in men's lockup with request for authorized painting. 408. Police Commissioners to Supervisor -Recommendation that Lieut. James Natalizia be appointed to the position of Permanent Lieutenant. 409. County CD Program to Supervisor Notification of start of Winterization and Emergency Repair Program with list of CETA income eligibility limits. 410. County Dept. of Environ. and Planning to $R \in F$ Supervisor -Report on meeting held 5/4/78 regarding 208/Area-wide Waste Treatment Mgt. and Water Quality Improvement Program-Mgt. Plan. 411. Mrs. Donna Reese to Supervisor -RεF List of complaints regarding Wehrle Drive-In with signatures of residents. 412. County of Erie Employment and Training Services to Supervisor -Transmittal of press release summarizing Summer Youth Program. 413. Marrano Enter. to Town Board -R & F Request reconsideration of position on roll curb in lieu of upright curb for Pleasant Meadow Subdivision. 414. Town Attorney to County Dept. of Environ. R & F and Planning -Transmittal of final draft of Highway Garage Lease to County of Erie with request for execution of said lease. 415. Building Inspector to Town Board -R & F Monthly report for May, 1978. 416. Supervisor to Clarence Councilman Roger Chafee -Transmittal of petition of complaint against

the Wehrle Drive-in with recommendation of

"No Parking" restrictions.

suggestions regarding disposition of tires.

#### ADJOURNMENT:

ON MOTION OF COUNCILMAN METZ, AND SECONDED BY THE ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 10:30 P.M. out of respect to:

regarding Town Hall addition and alterations.

Lester Young
Gaeton J. Ambrose
Mary Sartori
Helem Zmozynski

Signed

Robert P. Thill, Town Clerk